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10/644,948	08/19/2003	Jennifer Jie Fu	200209712-1	6796
22879 7590 09/04/2008 HEWLETT PACKARD COMPANY P O BOX 272400, 3404 E. HARMONY ROAD INTELLECTUAL PROPERTY ADMINISTRATION FORT COLLINS, CO 80527-2400				
EXAMINER TRAN, TUYETLEEN T				
ART UNIT 2179		PAPER NUMBER		
NOTIFICATION DATE 09/04/2008		DELIVERY MODE ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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### Office Action Summary

**Application No.**

10/644,948

**Applicant(s)**

FU, JENNIFER JIE

**Examiner**

TUYETLIEN T. TRAN

**Art Unit**

2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 November 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- Paper No(s)/Mail Date \_\_\_\_\_

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

#### **DETAILED ACTION**

1. This action is responsive to the following communication: Amendment filed 11/13/2007. **This action is made final.**
2. Claims 1-25 are pending in the case. Claims 1 and 13 are independent claims.

#### **Claim Objections**

3. Claims 3, 17, and 30 are objected to because of the following informalities: there is a period in the second line in the claims (see MPEP 608.01(m) - each claim begins with a capital letter and ends with a period). Appropriate correction is required.
4. Claims 4 and 18 are objected to because the claims end with two periods (refer to MPEP 608.01(m) - each claim begins with a capital letter and ends with a period). Appropriate correction is required.

#### **Claim Rejections - 35 USC § 112**

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:  
  
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
6. Claim 13-25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 13 recites the limitation "said plurality of network element icons" in line 3; limitation "said plurality of network elements" in line 4. There is insufficient antecedent basis for this limitation in the claim.

Claims 14-25 are rejected as incorporating the deficiencies of a claim upon which it depends.

#### **Claim Rejections - 35 USC § 102**

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**8. Claims 1-25 are rejected under 35 U.S.C. 102(b) as being anticipated by Patterson (Pub No US 2002/0052941 A1; hereinafter Patterson).**

**As to claim 1, Patterson teaches:**

A method for enabling a user to configure a communication network in a graphical user interface (GUI) display (e.g., see Fig. 3A and [0014], [0185], [0187]; a method of defining and deploying a networked computer system), comprising:

configuring at least a portion of said communication network in said GUI display (e.g., see [0015], [0093]), including configuring a plurality of network element icons representing a plurality of network elements and logical connections among said plurality of network elements, (e.g., see Fig. 3a, [0093], [0097], [0098]) including;

selecting a first network element icon of said plurality of network element icons for configuring a first network element of said plurality of network elements (e.g., selecting network element icon 324C in Fig. 3A for configuring as shown in Fig. 4A), said first network element represented by said first network element icon (e.g., network element icon 324C; note the user can view and modify detailed property values for any element within a networked computer system, see [0053], [0188]),

ascertaining a first set of properties associated with said first network element (e.g., see Fig. 4A and [0238]; properties such as name, type, local storage, server group), said first set of properties being displayed in said GUI display (e.g., see Fig. 4A) and representing properties available for said first network element in said communication network (e.g., properties such as name, type, local storage, server group are available for the network element Server),

associating a subset of said first set of properties with said first network element icon (e.g., see Fig. 4A and [0238]-[0242]), thereby causing said subset of said first set of properties to also be associated with said first network element (e.g., the configured values as shown in Fig. 4A is used to

create or modify one or more parameter values pertaining to a server, see [0238]), said associating a subset of said first set of properties performed by said user (e.g., see Fig. 4A and [0239]), and

displaying at least one visual indicator in said GUI display (e.g., label "Server1" for the network element icon 324C; further see [0235], the changes made to the selected network node is displayed), said at least one visual indicator being displayed in a visually connected manner with said first network element icon (e.g., label "Server1" is displayed over/on top of network element node 324C), said at least one visual indicator visually indicating in said GUI display that said first set of properties is associated with said first network element in said communication network (e.g., "Server1", "Firewall1" is associated with network element 324C, 332B; further see [0245]).

**As to claims 11 and 13, Patterson teaches:**

A method for enabling a user to configure a communication network in a graphical user interface (GUI) display (e.g., see Fig. 3A and [0014], [0185], [0187]; a method of defining and deploying a networked computer system), comprising:

selecting a first network element icon of said plurality of network element icons for configuring a first network element of said plurality of network elements (e.g., selecting network element icon 324C in Fig. 3A for configuring as shown in Fig. 4A), said first network element represented by said first network element icon (e.g., network element icon 324C),

ascertaining a first set of properties associated with said first network element (e.g., see Fig. 4A and [0238]; properties such as name, type, local storage, server group), said first set of properties being displayed in said GUI display (e.g., see Fig. 4A) and representing properties available for said first network element in said communication network (e.g., properties such as name, type, local storage, server group are available for the network element Server),

associating a subset of said first set of properties with said first network element icon (e.g., see Fig. 4A and [0238]-[0242]), thereby causing said subset of said first set of properties to also be associated with said first network element (e.g., the configured values as shown in Fig. 4A is used to

create or modify one or more parameter values pertaining to a server, see [0238]), said associating a subset of said first set of properties performed by said user (e.g., see Fig. 4A and [0239]), and

displaying at least one visual indicator in said GUI display (e.g., label "Server1" for the network element icon 324C), said at least one visual indicator being displayed in a visually connected manner with said first network element icon (e.g., label "Server1" is displayed over/on top of network element node 324C), said at least one visual indicator visually indicating in said GUI display that said first set of properties is associated with said first network element in said communication network (e.g., "Server1", "Firewall1" is associated with network element 324C, 332B; further see [0245]).

selecting a second network element icon of said plurality of network element icons for configuring a second network element of said plurality of network elements (e.g., selecting network element icon 322B in Fig. 3A for configuring as shown in Fig. 4B), said second network element represented by said second network element icon (e.g., network element icon 322B),

ascertaining a second set of properties associated with said second network element (e.g., see Fig. 4A and [0248]; properties such as name, type, NAT mapping), said second set of properties being displayed in said GUI display (e.g., see Fig. 4B) and representing properties available for said second network element in said communication network (e.g., properties such as name, type, NAT mapping are available for the network element Firewall),

associating a subset of said second set of properties with said second network element icon (e.g., see Fig. 4B and [0248]-[0255]), thereby causing said subset of said second set of properties to also be associated with said second network element (e.g., the configured values as shown in Fig. 4B is used to create or modify one or more parameter values pertaining to a firewall, see [0438]), said associating a subset of said second set of properties performed by said user (e.g., see Fig. 4B and [0249]), and

displaying at least another visual indicator in said GUI display (e.g., label "Firewall1" for the network element icon 322B), said at least another visual indicator being displayed in a visually connected manner with said second network element icon (e.g., label "Firewall1" is displayed over/on top of network element node 322B), said at least another visual indicator visually indicating in said GUI display that said second set of properties is associated with said second network element in said communication network,

said at least another visual indicator being displayed simultaneously with said at least one visual indicator in said GUI display (e.g., "Server1", "Firewall1" is associated with network element 324C, 332B; further see Fig. 3A and [0245]).

**As to claim 15**, Patterson teaches said visually indicating that said first set of properties is associated with said first network element and said visually indicating said second set of properties is associated with said second network element in said communication network (e.g., 'Firewall1' is associated with network element icon 322B, 'Internet1' is associated with icon 320B, see Fig. 3A) occur in the same window of said GUI display (e.g., workspace 312 in Fig. 3A).

**As to claims 2, 14, 16**, Patterson teaches wherein said at least one visual indicator includes a visual icon other than said first network element icon (e.g., see network element icon 322B in Fig. 3A and icon 322 in Fig. 3B).

**As to claims 3 and 17**, Patterson teaches said at least one visual indicator includes a different color for said first network element icon said different color being different from a default color that exists if said first set of properties is not associated with said first network element in said communication network (e.g., see network element icon 322B in Fig. 3A and icon 322 in Fig. 3B).

**As to claims 4 and 18**, Patterson teaches said at least one visual indicator includes a different shading for said first network element icon, said different shading being different from a default shading that exists if said first set of properties is not associated with said first network element in said communication network (e.g., see network element icon 322B in Fig. 3A and icon 322 in Fig. 3B).

**As to claims 5 and 19**, Patterson teaches said at least one visual indicator includes a different background color for said first network element icon, said different background color being different from a default background color that exists if said first set of properties is not associated with said first network element in said communication network (e.g., see network element icon 322B in Fig. 3A and icon 322 in Fig. 3B).

**As to claims 6 and 20**, Patterson teaches said at least one visual indicator includes textual information pertaining to said first network element icon, said textual information being different from textual information, if any, that exists if said first set of properties is not associated with said first network element in said communication network (e.g., see network element icon 322B in Fig. 3A and icon 322 in Fig. 3B).

**As to claims 7 and 21**, Patterson teaches said at least one visual indicator includes a different texture for said first network element icon, said texture being different from a default texture that exists if said first set of properties is not associated with said first network element in said communication network (e.g., see Fig. 5).

**As to claims 8 and 22**, Patterson teaches said at least one visual indicator represents a different shape for said first network element icon, said different shape being different from a default shape that is displayed if said first set of properties is not associated with said first network element in said communication network (e.g., see network element icon 322B in Fig. 3A and icon 322 in Fig. 3B).

**As to claims 9 and 23**, Patterson teaches said at least one visual indicator represents a different size for said first network element icon, said different size being different from a default size that is displayed if said first set of properties is not associated with said first network element in said communication network (e.g., see network element icon 322B in Fig. 3A and icon 322 in Fig. 3B).

**As to claims 10 and 24**, Patterson teaches said first network element is one of a server (e.g., network element icon 324 C-D, see Fig. 3A), a subnet (e.g., icon 326 B-C), a firewall (e.g., icon 322B), a VPN (e.g., icon 330B) and a load balancer (e.g., icon 328B).

**As to claims 12 and 25**, Patterson further wherein said communication network represents a logical network constructed from a common pool of network elements (e.g., see [0020]).



### Response to Arguments

9. Applicant's arguments filed on 11/13/2007 with respect to claims 1-25 have been considered but are not persuasive.

- ♦ Applicant argues that the cited prior art of Patterson fails to disclose or suggest that the user can select a network element icon and can choose a subset of the available properties displayed on the GUI display for associating with the network element icon (e.g., see Applicant's remark page 12).

In response, the examiner directs the Applicant to the fact that that the features upon which applicant relies (i.e., the user can choose a subset of the available properties displayed) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). All that is required is "ascertaining....". In this case, the prior art of Patterson teaches the limitation of "selecting a network element icon and ascertaining a first set of properties... the first set of properties being displayed in the GUI" as clearly addressed supra (e.g., see Figs. 4A, 4B, [0235], [0238]).

- ♦ Applicant argues that the cited prior art of Patterson fails to disclose or suggest that the association between the subset of displayed properties and the network element icon would result in the subset of displayed properties becoming associated with the network element itself (e.g., see Applicant's remark page 12).

In response, the examiner respectfully disagrees and submits that the prior art of Patterson teaches the user can view and modify detailed property value for any element within a networked computer system (e.g., see [0188]). Patterson teaches the user can select any network element icon for configuring the network element representing by the selected network element icon (e.g., see Fig. 6A, [0195]). Patterson teaches displaying a list of available properties available for the selected network element (e.g., see Figs. 4A, 4B). Patterson teaches the user can configure the selected network element using the displayed configuring interface (e.g., see [0235]). Patterson teaches the changes will be reflected in the Mapview (GUI) (e.g., see [0235]-[0237]). Patterson teaches displaying at least one visual indicator in said GUI display (e.g., label "Server1" for the network element icon 324C; further see [0235],

the changes made to the selected network node is displayed), said at least one visual indicator being displayed in a visually connected manner with said first network element icon (e.g., label "Server1" is displayed over/on top of network element node 324C), said at least one visual indicator visually indicating in said GUI display that said first set of properties is associated with said first network element in said communication network (e.g., "Server1", "Firewall1" is associated with network element 324C, 332B; further see [0245]). Therefore, the examiner concludes that the prior art of Patterson teaches the claimed limitation as rejected supra.

### **Conclusion**

**THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

**It is noted that any citation to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. In re Heck, 699 F.2d 1331, 1332-33, 216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting In re Lemelson, 397 F.2d 1006, 1009, 158 USPQ 275, 277 (CCPA 1968)).**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TuyetLien (Lien) T. Tran whose telephone number is 571-270-1033. The examiner can normally be reached on Mon-Friday: 7:30 - 5:00 (every other Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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